

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-18 remain pending. Claims 1 and 11 are independent.

§ 103 REJECTION - WATANABE '236, HIEDA

Claims 1, 5-8, 10-11, and 15-18 stand rejected under 35 U.S.C. § 103(a) as allegedly being anticipated by Watanabe (USPN 6,529,236, hereinafter "Watanabe '236") in view of Hieda (USPN 6,377,301). Applicant respectfully traverses.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. See *M.P.E.P.* 2142. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See *M.P.E.P.* 2142; *M.P.E.P.* 706.02(j). Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, independent claim 1 recites, in part, "a digitizing circuit for converting an output of said noise

reducing circuit to a digital signal in accordance with said first clock, irrespective of which of said first and second clocks said frequency selector selects." Independent claim 11 recites a similar feature. The combination of Watanabe '236 and Hieda cannot be properly combined to teach or suggest all elements of the claimed invention.

Hieda discloses an alternative selection of two clocks to feed the driving circuit 2, the A/D converter 9, and the line-memory block 10 with the selected clock. As shown, Hieda explicitly discloses that the signal charges developed from the CCD 1 and the signal to be digitized are dealt with the same selected clock.

The digital camera disclosed by Watanabe '236, when modified with the feature as disclosed in Hieda as the Examiner suggests so as to generate two clocks and select either one of the clocks generated to provide the imaging section and the A/D converter with the selected clock, would result in driving the imaging section and the A/D converter with the same selected clock. Thus, the modification gives rise to one-to-one correspondence between the signal charges read out from the imaging section and the data digitized because the clock for the

A/D converter has the same frequency (or clock rate) as the clock for the imaging section. The one-to-one correspondence would be maintained even when the signal charges are read out from the imaging section in the 1/2 thinning fashion, thus developing the digitized signal correspondingly thinned in the 1/2 thinning fashion.

Because this one-to-one correspondence is maintained, Watanabe '236 and Hieda cannot teach or suggest the feature of converting an output of said noise reducing circuit to a digital signal in accordance with the first clock, irrespective of which of the first and second clocks said frequency selector selects.

It is clear that the combination of Watanabe '236 and Hieda may not be relied upon to teach or suggest at least the above-noted feature of independent claims 1 and 11. Therefore, claims 1 and 11 are distinguishable over the combination of Watanabe '236 and Hieda. Claims 5-8, 11, and 15-18 depend from independent claims 1 or 11, directly or indirectly. Therefore, for at least the reasons stated with respect to claims 1 and 11, these dependent claims are also distinguishable from over the combination of Watanabe '236 and Hieda.

Applicant respectfully requests that the rejection of claims 1, 5-8, 10-11, and 15-18 based on Watanabe '236 and Hieda be withdrawn.

§ 103 REJECTION - WATANABE '236, HIEDA, TAKAHASHI

Claims 2-4 and 12-14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Watanabe '236 in view of Hieda and in further view of Takahashi (JP 06-141330). Applicant respectfully traverses.

It is noted that claims 2-4 and 12-14 depend from independent claims 1 and 11, respectively. It has been shown above that claims 1 and 11 are distinguishable over the combination of Watanabe '236 and Hieda. Takahashi has not been, and indeed cannot be, relied upon to correct at least the above-noted deficiencies of the combination of Watanabe '236 and Hieda. Therefore, independent claims 1 and 11 are distinguishable over the combination of Watanabe '236, Hieda, and Takahashi.

Due to their dependencies on claims 1 and 11 as well as on their own merits, claims 2-4 and 12-14 are also distinguishable over the combination of Watanabe '236, Hieda, and Takahashi.

Applicant respectfully requests that the rejection of claims 2-4 and 12-14, based on Watanabe '236, Hieda, and Takahashi be withdrawn.

§ 103 REJECTION - WATANABE '236, HIEDA, WATANABE '356

Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Watanabe '236 in view of Hieda and in further view of Watanabe (USPN 6,522,356, hereinafter "Watanabe '356"). Applicant respectfully traverses.

It is noted that claim 9 depends from independent claim 1. It has been shown above that claim 1 is distinguishable over the combination of Watanabe '236 and Hieda. Watanabe '356 has not been, and indeed cannot be, relied upon to correct at least the above-noted deficiencies of the combination of Watanabe '236 and Hieda. Therefore, independent claim 1 is distinguishable over the combination of Watanabe '236, Hieda, and Watanabe '356.

Due to its dependency on claim 1 as well as on its own merits, claim 9 is also distinguishable over the combination of Watanabe '236, Hieda, and Watanabe '356.

Applicant respectfully requests that the rejection of claim 9, based on Watanabe '236, Hieda, and Watanabe '356 be withdrawn.

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CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) months extension of time for filing a reply in connection with the present application, and the required fee is attached hereto.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By: 

Michael K. Mutter

Reg. No. 29,680

HMS

MKM/HNS/lab
0378-0360P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000